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The present representation of Commerce, Industry, Labour, Education and other interests in the Provincial and Central Legislatures.

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A memorandum presented to the Indian Statutory Commission by the Government of India on the subject of THE PRESENT REPRESENTATION OF COMMERCE, INDUSTRY, LABOUR, EDUCATION AND OTHER INTERESTS IN THE PROVINCIAL AND CENTRAL LEGISLATURES.

Scope of the Memorandum.

1. The intention of this note is to show the extent to which special representation has been introduced into the present constitution, the allegations of its inadequacy which have been addressed to the Government of India and some arguments in favour of and against the present system. The Government of India have not yet received the memoranda to be prepared by local Governments, and are therefore not in a position to deal so fully with representation in local legislatures as with the position in the Central Legislature.

Special representation by election or nomination.

2. Special representation, naturally enough, was a feature in earlier constitutions. The object of all representation then was to enlarge the field of public discussion in order that the various administrations might be able to shape their course with the advantage of a distinct knowledge of the wishes and feelings of the communities with whose interests they might be required to deal. Special electorates first appeared in the legislatures, Imperial and Provincial, set up in 1909, and were both territorial and associational. During the incubation of the present constitution the authors of the report on Indian constitutional reforms recognized the necessity for some special representation, but, at least in provinces, they deprecated the introduction of special electorates where that course could be avoided. In making proposals regarding provincial legislatures they wrote (paragraph 232) as follows: "Special electorates will no doubt be required for the representation of planting and mining interests, for the Chambers of Commerce, and possibly also for the universities; but we desire that the number of such electorates should be as restricted as possible, and that minority interests should, where necessary, be represented not by class or interest electorates but by nomination." In the case of the great landowners they thought that there would be a case for giving them an electorate of their own ; otherwise, since they regarded nomination as "one of the necessary illogicalities attendant on a transitional period", they appear to have entertained objection not only to the electoral method of special representation but

to special representation itself. In dealing with the Legislative Assembly (paragraph 273) they said " Some special representation, we think, there must be, as for European and Indian commerce and also for the large landlords..... There is no difficulty about direct election in the case of special constituencies."

The Franchise Committee in their proposals regarding provincial legislative councils (paragraphs 21 to 24 of their report) justified the maintenance of separate electorates for zemindars and landlords, universities, and commerce and industries, and they therefore recommended a very sparing use of nomination. As regards commerce and industry they said " We are satisfied that the method of representation through associations has worked well in the past, and should be continued in the future. Where, therefore, we have found associations which have proved to our satisfaction to be fully representative of the various interests concerned, we recommend that election to the special seats provided by us for commerce and industry should be made by their members. In the three provinces of the Punjab, Central Provinces and Assam where there is no organized association of sufficient importance for the representation of Indian commerce, we recommend a special electorate consisting of factory-owners and the representatives of registered companies."

Representation in provincial legislative councils.

3. The proposals of the Franchise Committee regarding provincial legislatures were in the main accepted by the Joint Select Committee in their first report on the Government of India Bill, and effect was given to them with modifications of details in the rules of which the Joint Select Committee approved in their first report on draft rules. The position as regards special representation by election to provincial legislatures is shown in the following table; the arrangements for Burma were reached separately in 1923.

Province.	Total strength of Council.	Nominated non-officials.						Landholders.	Members elected by vocational electorates.													Total vocational.
									Commerce and Industry including mining and planting.												Universities.	
		Depressed classes.	Labouring classes.	Cotton Trade.	Indian Commerce.	Industry other than planting and mining.	Total nominated non-officials. (Minimum number.)		Planting.	Mining	European Chambers of Commerce.	Indian Chambers of Commerce.	Trades Associations.	Millowners Associations.	Jute Trade.	Tea Trade.	Indian Associations.	General.	Total Commerce and Industry.		
Madras	132	10	..	..	..	..	11	6	1	..	2	2	1	..	..	..	..	..	6	1	13
Bombay	114	2	3	1	..	..	8	3	.	..	3	1	1	2	..	..	..	..	7	1	11
Bengal	140	1	2	..	..	..	6	5	..	1	6	2	1	..	2	1	2	..	15	2	22
United Provinces ..	123	1	..	..	..	..	5	6	..	..	2	1	..	..	..	..	..	..	3	1	10
Panjab	94	..	1	..	..	..	7	4	..	..	..	..	..	..	..	..	..	2	2	1	7
Burma	103	..	1	..	1	..	8	0	..	..	2	2	1	..	..	..	..	..	5	1	6
Bihar and Orissa ..	103	2	1	..	..	1	9	5	1	2	..	..	..	..	..	..	..	..	3	1	9
Central Provinces* ..	*73	4	1	..	..	..	8	3	..	1	..	..	..	..	..	..	..	2	3	1	7
Assam	53	..	1	..	..	..	5	..	5	..	..	..	..	..	..	..	..	1	6	..	6

* Members nominated as the result of elections in Berar are classed as elected.

Constituencies for the representation of commerce and industry are all associational, except in the three cases mentioned by the Franchise Committee, where the constituencies extend over the whole province.

Special representation in the Central Legislature.

4. For the Legislative Assembly the Franchise Committee proposed a constitution based on a careful determination of suitable provincial quotas, and inside these quotas they recommended that the following vocational interests should be given separate representation by election, namely, landholders, European commerce and planting, and Indian commerce. The guiding principle of fixing first the provincial quotas was accepted and it has since then been a governing consideration in dealing with all requests for increased representation; but the Government of India in paragraph 36 of their Fifth Despatch took objection to the proposals for the representation of special interests. The Joint Select Committee on the Government of India Bill, dealing only with the fundamental point at issue, affirmed the principle of direct election as the proper method of constituting the Legislative Assembly and left the Government of India to submit detailed proposals after consultation with local Governments. This was done, and draft electoral rules were submitted to the Joint Select Committee who dealt with them in their first report on Draft Rules.

The necessity of respecting provincial quotas and the limited size of the Chambers of the Indian Legislature restricted the extent to which representation could be given to special interests. The only vocational interests therefore for which separate electorates have been framed are landholders and Indian commerce, who obtain special representation in the Legislative Assembly, and European commerce, which is separately represented in the Council of State. Where commerce has not been given special representation it was thought that it would in practice obtain representation through the general constituencies. The only vocational representation by election in the Legislative Assembly is therefore the 7 seats granted to landholders and the 4 seats for Indian commerce, and in the Council of State the 3 seats for European commerce. The landholders' constituencies are all territorial. The commercial constituencies are associational, except the Madras constituency which is province-wide, the main qualification of an elector being assessment to income derived from business. No nominations to the Indian Legislature have been reserved for special interests.

Commerce and Industries.

Demands for increased representation of trade and commerce. Provincial Legislative Councils.

5. It has been necessary to draw so freely on past discussions if only because

the claims which have been made for increased vocational representation and the considerations which weighed with the Government of India in approaching them cannot otherwise be appreciated. These claims have been advanced in spite of the declared intention of the Joint Select Committee (Report on the Government of India Bill, clause 7) that the franchise as settled by the rules under the Act should not be altered for the first ten years. They have been most numerous in regard to commercial interests.

The Government of India has little evidence in its possession of any dissatisfaction with the representation of commerce in the provincial legislatures. The representation there is on the scale shown in the statement in paragraph 3 above, and, since commerce itself, and such allied matters as railways, shipping, customs and currency are central subjects, the more immediate concern of commercial interests is with the Central Legislature. Nevertheless claims have been advanced by the Punjab Chamber of Commerce, the Burma Indian Chamber of Commerce, and the Karachi Indian Mercantile Associations.

The first named Association shares with the Punjab Trades Association one seat in the Punjab Legislative Council. In 1920 when the electoral rules had not yet issued the Chamber protested strongly against the insufficiency of the representation proposed for them, and particularly against their combination with the Trades Association. They urged that the Chamber and the Association represented different and possibly conflicting interests, namely, commerce and retail trade, that formerly the Chamber enjoyed an entire seat in a smaller council, that it ranked in the Associated Chambers of India and Ceylon equal with the Upper India Chamber of Commerce and that it represented both European and Indian Commerce in North-West India. The Government of India accepted these arguments and recommended to the Secretary of State that one more seat should be added to the Punjab Legislative Council and assigned to the Chamber, leaving the existing seat to be shared in rotation by the Chamber and the Association. The recommendation, however, was received by the Secretary of State too late to be included in the Punjab Electoral Rules. The Chamber repeated their request on the same grounds in 1921 and 1923, demanding on the latter occasion at least two seats in the local legislature. It was, however, considered to be inexpedient on general grounds to make any changes for the present in the composition of the Legislative Council. The claim of the Chamber has, therefore, been left for consideration when a general revision of the rules is undertaken. Meantime the desirability of giving a seat by nomination either to the Chamber

or the Association, whichever of the two was unrepresented in the Council as the result of the elections by the composite constituency, was commended to the consideration of the Governor of the Punjab. It is understood that in practice His Excellency has found it possible to give this representation.

The Burma Electoral Rules provide no constituency for Indian commerce but secure its representation by the assignment thereto of one of the nominated seats. In 1926 the Burma Indian Chamber of Commerce approached the Government of India with the request that they should be given representation by the election of three of their members. The Chamber was not in existence when Burma received a reformed constitution and the Burma Electoral Rules were made. On that occasion Indian commerce was, as has been said, given representation by nomination but the intention was that the method of representation should be changed to election when an Indian Chamber of Commerce came into existence. The Chamber's demand for three seats is considered extravagant, for experience has shown that Indian Commerce is sufficiently represented by one member. But the Secretary of State in Council has accepted the proposal to withdraw the provision for nomination and to add one member to be elected by the Burma Indian Chamber of Commerce. This change will be given effect to before the next general election to the Council.

In 1927 the Karachi Indian Merchants' Association and the Buyers and Shippers' Chamber in an address presented to His Excellency the Viceroy asked that their claim to separate representation on the Bombay Legislative Council should be brought to the notice of the Royal Statutory Commission, on the ground that out of the seven seats allotted to commerce in the Presidency there is not even one reserved for Indian commerce in Karachi.

These representations do not suggest, nor have the Government of India reason to believe that in practice and on definite matters provincial legislative councils, for lack of an adequate commercial element in their composition, have given insufficient attention to commercial interests. It is possible that the grounds of dissatisfaction may ultimately relate to the method of representation through associations and to the position of the various associations rather than to the total representation of commercial interests within each province. On the other hand the proportion of business men in the Punjab Legislative Council may be defective. The extent to which general constituencies can be relied on to provide due representation of important commercial interests and the most appropriate methods of distributing the

total special representation which provincial conditions warrant are matters regarding which the Government of India has as yet insufficient information. It is, however, noteworthy that commercial representation on local legislatures was not a matter brought to the notice of the Reforms Enquiry Committee by any commercial association.

Demands for increased representation of trade and commerce—The Indian Legislature—European commerce.

6. The representation of commerce in the Indian Legislature differs, as has been observed, according as the interests of European or Indian commerce are concerned. It will be convenient, in dealing here with claims which have been urged, to observe the same distinction. The only provincial association of European commerce which has claimed representation which it does not now enjoy in the Legislative Assembly is the Punjab Chamber of Commerce. This Association, which contains an almost equal number of European and Indian members and represents both European and Indian commerce in the Punjab, had in 1921 been informed by His Excellency Lord Reading that the representation of European commerce in the Council of State could not be increased and that the Chamber was no worse off than more important associations elsewhere. Nevertheless, in 1923 the Chamber demanded a seat in the Indian Legislature. It urged that, unlike the European commerce of Bengal, Bombay, Karachi, Madras and the United Provinces, the commerce of Northern India had been given no chance of obtaining representation even indirectly. It pointed out that it is in the Legislative Assembly that all legislation relating to Commerce, Industry and Finance originates, is discussed and takes final form. The Government of India decided that it would be a mistake, by the addition of a seat in one province to disturb the careful balancing of the claims of one province against another which was the first step taken in determining the composition of the Legislative Assembly and they were aware that there were many other commercial bodies which had a much greater claim than the Punjab Chamber. They, therefore, refused to accede for the present to the Chamber's request.

The claim of European commerce and industry to direct representation in the Legislative Assembly was strongly pressed upon the Reforms Enquiry* Committee. The Committee recorded no clear opinion regarding the validity of the

*Appendix no. 5 to the Report of the Reforms Enquiry Committee, page 228—Memorandum of the Central Administration European Association, Calcutta, paragraph 14, *ibid*, page 231—Memorandum of the Bengal Chamber of Commerce, paragraph 5.

claim, but rejected it for the moment on general grounds. They thought† that a general revision of the constituencies of the two Chambers should be awaited before any change is made in this respect, and they were unable to recommend that such a general revision of the constituencies should be undertaken at that time.

The claim was not supported by any detailed arguments addressed to the Reforms Enquiry Committee but was urged with more elaboration by the Associated Chambers of Commerce for India and Ceylon in communication with the Government of India. That Association was composed of a number of influential European Chambers of Commerce, though there was nothing in its Articles to preclude the election to it of purely Indian Chambers. In 1922 it put forward a claim for its own direct representation in the Legislative Assembly on the ground that its exclusion is not only unfair but unsatisfactory because it restricts the examination and discussion of commercial legislation. The Government of India considered various means of meeting the wishes of the Association and finally announced that in the event of the existing Association being reorganized so as to include European Chambers and Indian Chambers of approved standing they would be prepared to consider sympathetically a proposal to grant to the reorganized Chamber two new seats of which a clear convention would allot one to each community.

It is presumed that the suggestion for a reorganization of the Association bore no fruit for in 1923 it made a demand for the creation of new seats in the Legislative Assembly for the direct representation of British Chambers of Commerce. It pointed to the direct representation in the Legislative Assembly enjoyed by other Chambers and Associations, and it laid stress upon the vital importance to its interests of questions discussed in the Legislative Assembly and the expert advice on such subjects which its representatives could give. The demand in this form the Government of India could not accept, for it was unable at the present juncture to recommend an increase in the number of European seats, whether general alone or general combined with European commerce, beyond 9. It therefore asked the Associated Chambers to supply a definite scheme for the representation of European commerce on the alternative assumptions (1) that the total European seats will be restricted to nine, (2) that there may be an increase in the number of European seats. But it pointed out that any scheme on the second alternative could be introduced only after a considerable increase in the number of elected seats in

†Report of the Refofrms Enquiry Committee, paragraph 118.

the Assembly had been made, and that no such increase was then contemplated. In reply to this invitation the Associated Chambers were unable to suggest any disturbance of the existing arrangements, and left the matter for consideration on the second alternative arising. The Associated Chambers, however, have secured representation by nomination in the second and third Assemblies.

Demands for increased representation of trade and commerce—The Indian Legislature—Indian commerce.

7. Indian commerce has not raised the question of its representation in the Council of State, where at present it has no direct representation. In the Legislative Assembly the commercial interests of Madras, Bombay and Bengal alone are directly represented. The Indian Mining Federation, the Karachi Indian Merchants' Association, and the Burma Indian Chamber of Commerce have made requests for representation, but none of these requests showed any good ground for anticipating a general revision of the franchise.

The Bengal National Chamber of Commerce elects to one seat in the Legislative Assembly in rotation with two other associations. The Millowners' Associations of Bombay and Ahmedabad also elect to one seat in rotation. The Chamber and the Millowners' Associations have asked to be given each its own member, on the ground, in each case, of the importance of the interests which they represent, and, in the case of the Associations, of the divergence of their interests. These requests also have been reserved for consideration when a general redistribution of seats is undertaken.

Arguments for and against special representation of commerce.

8. The claims for increased representation of commerce which have been presented to the Government of India, so far as they urge the importance of the commercial matters with which the Legislative Assembly deals and the desirability of having a number of business men in that Chamber, are on sound ground. They all, however, assume three propositions for and against which there is much to be said. They assume that commercial interests cannot be entrusted to general representation, that the special representation of commerce, which must therefore be given, must be by election and not by nomination, and that special commercial electorates must be associational and not territorial.

Against the first assumption it may be argued that actually business men have been returned in considerable numbers to the three Assemblies since the Reforms were introduced, and that the Legislative Assembly has given full consideration to commercial interests in the very important legislation which has been undertaken. In the present Assembly about a dozen business men sit for general constituencies in

addition to those returned by the European constituencies. It has never been necessary, for the purposes of any particular discussion, to introduce by nomination an expert element into the House, and the business members of the Assembly have not on any important questions found themselves at variance with the general sense of the House. The advocates of special representation would reply that general representation, although it has in the past had these results, cannot be relied upon to secure business representation, that it has in fact secured inadequate business representation, and that the consideration which business interests have received is in large measure due to the action and to the voting strength of Government, which through the Tariff Board and in other ways has maintained a close acquaintance with commercial conditions and requirements. It cannot be assumed that Government will in future be in the same position to act effectively as the friend of business interests. Commerce in the new constitution must be independent of such assistance. They would, therefore, press for an adequate bloc of members who are themselves business men and who have the interests of business at heart.

In the particular case of European commerce these arguments would take the following form. On the one hand, so long as there is special representation of general European interests the burden of justifying the discrimination of European commercial interests from European general interests lies heavily on those claiming vocational representation. Actually, general representation does mean a representation of commerce, for commercial men have always held the majority of European general seats in the Assembly. Separate representation of European commerce involves further a discrimination between European and Indian commerce which it is undesirable to make. On the other hand, circumstances might well arise, such for instance as those attending the Ilbert Bill, in which European general constituencies would probably not return business men. Representatives of general constituencies do not possess and have not in the past acknowledged a mandate from commercial interests. They do not, therefore, carry that weight in the House which members for special commercial constituencies would carry. European business men of the best type are reluctant to stand for election by the general community. Special representation is, therefore, necessary in order to secure that the European representatives in the Assembly will be men of weight in the commercial world.

9. If the necessity for special representation be conceded it may be argued

Arguments for and against commercial electorates.

that the objection of the authors of the report on Indian Constitutional Reforms to special electorates for provincial Councils has equal validity for the Legislative Assembly. However desirable it may be to introduce an expert element into the Assembly, it is highly inadvisable to introduce cleavage into the electorate. Nomination has secured in the past efficient representation not only of other interests such as labour but also of commercial interests, as in the cases of the Associated Chambers in the Legislative Assembly and other Chambers in provincial legislatures. Special electorates are theoretically inconsistent with the introduction of a Parliamentary Executive. On the other hand it is notorious that in the past business men returned by general constituencies have taken views on commercial matters differing from those entertained by responsible commercial opinion outside the Assembly, and the feeling is strong that commercial representatives should have a commercial mandate and be answerable to commercial influence. It cannot be assured that nomination will always secure suitable personnel.

Arguments for and against associational electorates.

10. The claims for extended representation which have been urged upon the Government of India give some ground for the opinion that the present arrangements for commercial constituencies are not altogether satisfactory. Existing associations are by no means exhaustive of commercial interests. Those associations which have obtained representation do not include all effective associations, and fresh claims are made, not solely with a view to parliamentary representation, but also in order to obtain recognition and importance as commercial bodies. The association of business interests in India in corporate bodies has not yet reached a stable regime. It is possible, therefore, that the recognition of associations as electoral constituencies will involve frequent alterations of the franchise. The distinction between European and Indian commerce for purposes of association tends to become blurred. In many places, the associations which have obtained representation are close corporations, of which the committee is a somewhat aristocratic body composed of the principals of firms of a fairly commanding position. There is much room for simplification in commercial association in the direction of comprehensive and liberal institutions.

On the other hand the recognition of Chambers of Commerce as electoral constituencies is a privilege which has long been enjoyed. The arrangement succeeds in securing men of weight in the commercial world as members of the legislatures. It sends them to the legislatures with a mandate from an authority which remains

competent to enforce it, and it facilitates their continuous attendance. A chamber can always get its representative to resign if he cannot attend the legislature, and can elect another without difficulty, whereas the process of substituting a representative of a general constituency is far more cumbrous.

Landholders.

Representation of landholders.

11. The only other interest which enjoys special representation in the Indian Legislature is that of the large landholders. This is a privilege which was enjoyed in pre-reform days both in the Indian Legislative Council and in most of the provincial Councils. But before the introduction of dyarchy there was no special representation of landholders in the Legislative Councils of the Punjab and Burma. The principle which was enunciated by the authors of the Report on Indian Constitutional Reforms in regard to provinces (paragraph 232 of the Report) was that where the great landowners form a distinct class there will be a case for giving them an electorate of their own. The authors also proposed to give the landed classes separate representation in both Chambers of the Indian Legislature (paragraphs 273 and 277). The Franchise Committee accordingly made proposals which would have resulted in the creation of a total of 35 constituencies for landholders in the provincial Councils, 10 constituencies for the Legislative Assembly and 2 constituencies for the Council of State. These proposals would have raised the landlord constituencies for provincial Councils from 23 to 35 and would have introduced special representation for the first time into the Punjab, but because of the increased size of provincial councils it would have resulted in a drastic reduction in the proportion of landlords' representation in most provinces.

The Government of India in their Fifth Despatch (paragraph 16) approved of the special representation of great landowners where they formed a special class, but in the preceding paragraph they took exception to the electoral qualifications proposed by the Franchise Committee and desired to re-examine the proposals with local Governments. The Chairman of the Franchise Committee, in a memorandum presented to the Joint Committee, made reply to the criticisms of the Government of India. The Joint Select Committee on the Government of India Bill, however, directed that the special representation of landholders in the provinces should be reconsidered by the Government of India in consultation with local Governments. This reconsideration resulted in the total number of landholder constituencies for provincial councils being

reduced from 35, as originally proposed, to 32, distributed as follows :—

Madras	.. ..	6
Bombay	.. ..	3
Bengal	.. ..	5
United Provinces	..	6
Punjab	.. ..	4
Bihar and Orissa	..	5
Central Provinces	..	3
		32

No separate representation was given to landlords when the electoral rules for Burma were framed.

In paragraph 36 of the Fifth Despatch the Government of India criticised the Committee's proposals for the representation of landholders in the Legislative Assembly and in place of 10 seats proposed to allot 7 seats to this interest. In spite of the defence of the Committee's proposals made by Lord Southborough in the memorandum which he submitted to the Joint Select Committee on the Government of India Bill, the proposals of the Government of India were finally accepted in the electoral rules. The Government of India when forwarding the draft electoral rules to the Secretary of State observed " The great landlords enjoy at present separate representation on the Indian Legislative Council. We have not thought it wise or just to abolish the privilege which has come to be regarded as a right, but we see no justification for allotting to them anything in excess of the 7 seats now reserved for them. As a class the landlords have no interests which are likely to be specially affected by legislation with which the Indian Legislature will be concerned. Tenancy law is one of the subjects reserved for the Provincial Councils and it is in these Councils and not in the Assembly that the agrarian contests of the future will be fought and decided ". One seat each was allotted for the landholders of Madras, Bombay, Bengal, United Provinces, Punjab, Bihar and Orissa and the Central Provinces. It was not found necessary to provide for the separate representation of landowners in the Council of State. The composition of the general electorates was expected to secure to the landowners their due share of representation. This anticipation has been more than fulfilled and in the existing Council of State the landowners number as many as 16 out of 34 elected members.

The representation of landholders in the provincial Councils.

12. The electoral qualifications for the landholders' constituencies naturally vary from province to province, for they seek

to follow the features of provincial economy which distinguish landholders as a separate class. In a few cases, for instance, in Bombay and the Central Provinces the qualification, in addition to the ownership of land, is recognition of a hereditary title. But generally the qualification is the payment of a certain amount of land revenue, the amount varying from Rs. 500 per annum in the Punjab to Rs. 4,500 in the Burdwan and Presidency Divisions of Bengal. The constituencies vary in the number of their electors from province to province. The electorate of the constituency in the Chota Nagpur Division is as small as 36. Constituencies of which the total number of electors is in the neighbourhood of 50 are common. In the Punjab the general constituency has 697 electorates, while the electors in the Sikh landholders' constituency and the Muhammadan landholders' constituency number 872 and 1,606 respectively. The elections are as freely contested as in the general constituencies and the percentage of voters going to the poll is frequently high.

The only claim which the Government of India have received regarding the representation of landowners in provincial councils is that made by the Agra landholders. This class had elected to one seat in the old Council and the Franchise Committee (Report, paragraph 21), disregarding the proposal of the local Government to withhold special representation, proposed to retain that privilege undiminished and unaugmented. They recommended, however, at the same time that the representation of the Talukdars of Oudh should be increased to 5 seats. The Government* of India considered that so marked a discrimination between Agra and Oudh could not be justified. They, therefore, proposed to distribute 6 landholder seats equally between Agra and Oudh. The views of the Franchise Committee were pressed upon the Joint Select Committee in Lord Southborough's memorandum in which he explained that the Agra landlords had only recently organised an Association and were not so important a political body as the Talukdars; there were a few ancient families, but many were new purchasers and none possessed special rights and privileges. The Joint Select Committee did not decide between these conflicting views but directed that the special representation of landlords in the provinces should be reconsidered by the Government of India in consultation with the local Governments. After consulting the Government of the United Provinces the Government of India submitted draft rules which were accepted by the Joint Select Committee and which granted four seats to the

*Fifth Despatch on Indian Constitutional Reforms, paragraph 16.

Talukdars and two seats to the landholders of Agra.

The Agra landholders did not long remain content with this position for on the 22nd March, 1923, their representative moved in the United Provinces Legislative Council a resolution for the increase of their representation from two to four seats without decreasing the representation of the Talukdars. The grounds on which this demand was justified were the large proportion of the provincial revenue which was contributed by the class, the services which they had rendered in the war, their good work in the Council, and the danger of the time coming "when they would find it very difficult, almost impossible, to secure a seat through the general electorate". The Government of the United Provinces expressed their sympathy with the resolution, which was carried without a division. It appeared however that in addition to the two seats allotted to them, the Agra landholders had no less than 32 representatives in the provincial Legislative Council, of whom 23 could be definitely regarded as representing the interests of landholders. It was, therefore, decided that at that time no change should be made and that consideration of the adequacy of the special representation of the Agra landholders must be postponed until a general revision of the franchise takes place.

The representation of landholders in the provincial Councils. General considerations.

13. The necessity and the propriety of continuing in provinces special representation of the nature are questions for consideration in the light of the information which enquiry into provincial conditions and the operation of provincial constitutions may yield. The present system is admittedly representation of a class which has an individual position in provincial economy, but it is also a recognition of the necessity for bringing all views to bear on agrarian questions which in many provinces have engaged, and in all provinces may engage, the anxious attention of local legislatures. On the one hand the degree to which the tenant class has been enfranchised differs from province to province, and on the other there is no uniformity in the extent to which the large landholders form a separate class within the general proprietary body, or can secure representation through the general electorate or, indeed, have separate interests. On all these matters careful enquiry from province to province is necessary. It may be that the solution will differ in provinces with a uni-cameral and in those with a bi-cameral legislature, even though the conflict between the interests of tenants and the interests of the whole proprietary class must in the first instance be fought out in the popular chamber. But the fact of distinction between large and

small landholders is a matter, in the first instance, for provincial enquiry.

Representation of landholders in the Legislative Assembly.

14. The electoral qualifications for the landholders constituencies for the Legislative Assembly are similar to the qualifications required for the provincial Councils, but in some cases the monetary qualification according to the land revenue assessment is somewhat higher. The lowest qualification is that in the Punjab where the payment of Rs. 1,000 per annum as land revenue carries the right to vote. The corresponding figure in the United Provinces is Rs. 5,000 which is also the qualification required in the Central Provinces, while in Bihar and Orissa an elector must pay a land revenue assessment of not less than Rs. 10,000 per annum. The constituencies, however, are not small in comparison with the corresponding provincial constituencies except in Bihar and Orissa where there are only 129 electors. The Sind and the Punjab constituencies include over one thousand electors each and the United Provinces constituency has 993 electors. Four out of 7 constituencies were contested at the last election and the percentage of voters was high. Six of the constituencies were contested in 1923. There has not in the Legislative Assembly been any legislation which has particularly affected the interests of this class.

The only claim which has been received by the Government of India in connection with the representation of landholders in the Legislative Assembly was that of the landholders of the Bombay Presidency. This class returns a member to the Legislative Assembly in rotation with the landholders of Sind. On its behalf Sirdar V. N. Mutalik, M.L.A., requested that the Sirdars of the Deccan, the Sirdars of Gujerat and the Inamdars of the Presidency, who form the landholders' constituency of Bombay Presidency, should be given a seat of their own in the Legislative Assembly. He argued that they formed the aristocracy and the landed gentry of the Presidency, that they held 2,083 out of 20,863 villages in the Presidency, paying for them and other lands about one-fifth of the total land revenue of the Presidency, that their concerns were distinct from those of the landholders of Sind, and that they formed a constituency on a par with similar constituencies of other provinces which have received separate representation in the Legislative Assembly. Some of these arguments had relevancy only to representation in the provincial council, and the decision of the Government of India was against re-opening, pending the question of a general re-distribution of seats in the Legislative Assembly, a question which had been carefully considered when the electoral rules were framed.

Representation of landholders in the Legislative Assembly. General considerations.

15. The grounds on which special representation in the Legislative Assembly has been granted to the large landowners are described in the quotation which has been made from the Government of India Despatch. The representation is that of a class rather than of an interest, as is indeed clear from the criterion applied by the Franchise Committee. In favour of its retention it may be argued that the presence of this element in the Legislative Assembly is desirable, that there are general grounds on which it is well to recognize its separate status, and that the privilege cannot now be withdrawn. On the other hand this class, it may be contended, is able to secure its adequate representation through the general constituencies, and in fact a score of its members sit in the present Assembly as representatives of general constituencies.

University Representation.

University representation.

16. The only special representation of education is that given through University constituencies which return representatives to provincial legislatures. There is no special representation of Universities in the Central Legislature. The present arrangements originated in the proposals of the Franchise Committee (Report, paragraph 22) which contemplated "the maintenance of the existing arrangements by which the interests of University Education are represented in the provincial Legislative Councils by a member elected by the Senate and Fellows of the University of the Province." To these proposals the Government of India (Fifth Despatch, paragraph 14) took exception on the grounds that there is no real divergency of interests between the Universities and the educated classes in general, that the representatives returned by University constituencies will not be different in kind from those of the professional classes in general and that some danger of carrying politics into academic circles was involved. This criticism was examined by Lord Southborough in his evidence before the Joint Select Committee when he explained that the intention was not to give representation of the interests of the educated classes but of the special interests of University corporations and that the electorate will, therefore, be confined to the members of the Senate and Honorary Fellows. But he accepted the criticism of the Government of India so far as to deprecate the enlargement of the electorate by the inclusion of all registered graduates. The Joint Select Committee on the Government of India Bill, however, referring to clause 7 of the Bill directed that the franchise for the University seat should be extended to all graduates of over 7 years' standing. The Com-

mittee appear, from their examination of witnesses, to have been impressed by the analogy of the English practice. They had before them the Congress demand for the inclusion of graduates in the University electorates and objections [Q.-9763 (19)] to constituting " a new and disguised Government electorate ". It was contended that more than 80 per cent. of the Fellows are Government nominees and the greater proportion of them are Government officials. The effect of the decision of the Committee was to convert this special representation from a representation of interests to a representation of a particular class. The electoral rules have been framed in accordance with the decision of the Joint Select Committee. Normally the franchise does not go lower than graduates of 7 years' standing, but Doctors and Masters of the Allahabad University without time-limit and all registered graduates of the Dacca, Rangoon, Patna and Nagpur Universities have been enfranchised. The constituencies which have been formed and the total number of electors in each are as follows :—

Constituency.	Total number of voters.	Percentage of voters voting at last election.
Madras University ..	9,662	Not contested.
Bombay University ..	6,300	65·73
Calcutta University ..	7,886	74·30
Dacca University ..	1,577	95·20
Allahabad University ..	4,141	71·77
Punjab University ..	3,210	80·37
Patna University ..	795	85·41
Nagpur University ..	556	91·36
Rangoon University ..	133	Not contested.

The strength of the electorates suggests that these constituencies are not representative of the managing bodies of the Universities, and therefore of University interests, but rather of the class who have received the highest standard of education, an arrangement which differs from that in force before the inception of the reforms.

Universities which have no representation.

17. The Universities which at present exist and have no special representation are the Lucknow, Agra and Andhra Universities, which are provincial institutions, and the Benares Hindu, Aligarh Muslim and Delhi Universities. The Andhra and Agra Universities are of recent origin. Their representation has not been considered. The consideration of the representation of the Lucknow University was not pursued, as other interests were involved and it appeared undesirable to disturb the nicely adjusted balance of representation in the local Council. At the same time, it was but natural that the new

Universities, which are steadily increasing in number, should seek the privilege of representation enjoyed by the earlier foundations. The Franchise Committee recognised the equity of giving such representation by making provision for the representation of the then newly established Universities of Dacca, Patna and Nagpur. If the principle that Universities, as enjoying a special corporate life of their own and as the custodians of a highly specialised activity, deserve representation be recognised, the existence of more than one such body in a province should not present any serious obstacle to the devising of means for securing representation for them on Local Legislative Councils. A system of joint University electorates, such as the one which prevails in so far as the Scottish and provincial English Universities are concerned could be adopted for the purpose. The units constituting the electorate might be some part of the University organism or all registered graduates of a certain standing of all the Universities in the same constituency. The Benares Hindu and Aligarh Muslim Universities, aim at an all-India status. They have been classified as central subjects under the Devolution Rules. They receive grants from central revenues and draw students from outside the United Provinces. The former demanded representation on the Legislative Assembly when the electoral rules were framed. The claim, however, was rejected. It was found that the bulk of the students were residents of the United Provinces and the seat asked for would, therefore, be in effect an addition to the representation of that province. It would further be necessary, if the claim was conceded, to allot a seat to the Aligarh Muslim University which also, in the main, is a provincial institution. If the Benares and Aligarh Universities are not to be regarded as All-India Universities, having a special claim to representation on the Central Legislature, but as provincial institutions, their claim to representation may be considered as part of any scheme of readjustment of University representation in the United Provinces.

The Delhi University is a small institution created by an Act of 1922 in an area directly administered by the Government of India. Its financial stability depends upon grants made annually by the Government of India, and its Court includes six members of the Legislative Assembly, of whom one is elected by the Assembly and the rest are nominated by Government. The Joint Select Committee of the Central Legislature on the Delhi University Bill expressed the opinion that provision should be made in due course for the representation of the University in the Legislative Assembly by one member

elected by the Court. Thus the recommendation was for a representation different in essence from the representation enjoyed by any University in India. It contemplated the representation not of the educated classes but of the interests of the University through its chief governing authority. The recommendation and a subsequent request to the same effect made by the University were rejected on the grounds that the time was inopportune for reaching a decision. The difficulty, however, of considering such a claim favourably in future, except as a part of a larger scheme of giving Universities in British India representation on the Central Legislature, will probably be recognised.

General considerations.

18. The question of separate University representation has two aspects. It may be either representation of University interests or the representation of a class who have attained a certain high standard of education. In regard to the second aspect it may be argued that the narrower the franchise the less the justification for granting special representation to the graduate class. The majority of members of the Legislative Assembly belong themselves to that class. The case for special class representation may be stronger in provinces, for the electorate is wider and less highly qualified. But in provinces also it is probable that the graduate class contributes very largely to the personnel of the Council. In regard to the former aspect the questions arise—What are the parliamentary interests of each University? In what arena are they at stake? Much depends on the view taken of the importance of Universities in shaping the life of the nation. Treated as groups with a corporate existence and outlook of their own, they are entitled to have their claim to represent the highly specialised and vital activity which they direct fully considered. The fact that occasions on which important measures affecting the life of Universities have come up before the Central Legislature since the inception of the Reforms have been few may be no guarantee that such measures will not come up in future. Equally the fact that the members of the Central Legislature may include men who are associated with the academic life of some University is no guarantee, either that they have a special mandate from the University or that they are specially qualified to speak on questions of University administration or activity. These considerations may point to the desirability of treating the Universities of India, viewed as organic bodies, as a suitable electorate for the representation on the Central Legislature of a highly specialised national activity. Against this must be set (1) the general considerations which may be urged in opposition to the representation of special interests

in a democratic constitution and (2) the fact that no parallel exists for such representation in the Dominions or in the United States of America.

Cantonments.

The claim of residents in cantonment areas.

19. Under the existing electoral rules the house-owners and taxpayers of cantonments form part of the general constituencies and have no separate representation either in the provincial or in the central legislatures. In 1923, however, the All-India Cantonments Association represented to the Government of India the necessity for separate representation of cantonment interests in the Legislative Assembly, and the demand has been repeated in subsequent years. The basic reasons underlying the request of the All Indian Cantonments Association for representation in the Assembly, were that the administration of cantonments is a Central, and not a Provincial, subject, and that legislation on cantonment matters has for some years figured at frequent intervals in the business of the Legislative Assembly and will probably continue to do so. It was urged that cantonment interests require special advocacy, and that a member returned from a general constituency is neither competent nor morally bound to study the particular needs of persons residing in cantonments. The demand for a separate electorate was refused on the grounds that with cantonments spread all over India no effective constituency could be created from among the residents in them, and that the conditions of residence in cantonments are not so peculiar as to require separate representation. An undertaking was, however, given to the effect " that in the event of no person having special knowledge of cantonment conditions being returned at the forthcoming general elections, the Government of India would consider whether it would be possible to nominate such a person ". The first and second Assemblies contained persons with such special knowledge and no nomination of a representative of the interest was made. After the election to the third Assembly the Government of India, in view of other claims, were unable to make room for a nominated member to represent cantonments.

Labour.

Special representation of labour.

20. In earlier legislatures industrial labour did not enjoy representation. Even now it is only in some of the legislatures set up under the Act of 1919 that labour representatives sit. The original proposal made by the Franchise Committee (Report, paragraph 24) was for the creation of one seat, to be filled by nomination, in each of the provincial legislative councils of Bombay, Bengal, Bihar and Orissa

and Assam. But the claims of the urban wage-earning classes were further examined in consequence of the suggestion made by the Joint Select Committee on the Government of India Bill (Report on clause 7). In the course of that investigation it was found that only in Bombay and Calcutta and its neighbourhood were any special measures necessary in the interests of this section of the population. Elsewhere the peculiar problems associated with the growth of industrialism had not begun to appear on a large scale, and the urban wage-earners were not sufficiently differentiated from other classes to make it practicable to provide specially for their representation. But in the two large cities the feasibility of creating a special franchise for millhands in receipt of a certain minimum wage, so as to bring them on the rolls of general constituencies, and also in Calcutta of forming special constituencies for them was considered. The Joint Select Committee (First Report on Draft Rules, paragraph 6), however, saw insuperable objections to a solution on these lines, and fell back upon nomination. Accordingly two seats, to be filled by nomination, were reserved for the representation of labour in the Bengal Legislative Council and one each in the Legislative Councils of Bombay, Bihar and Orissa, and Assam. A nominated seat for labour was allotted in the Burma Legislative Council when the reforms were introduced in that Province. No nominations to the Central Legislature were reserved for labour.

The matter again came under discussion when the Reforms Enquiry Committee sat in 1924. The Committee considered the existing representation in provinces inadequate, and recommended the grant of some definite representation in the Legislative Assembly. But opinion differed as to the method of representation. The Minority [Report, Chapter VIII (*c*)] favoured inclusion in the general electorate by a lowering of the franchise, but as a temporary measure were prepared to accept election in special constituencies. The majority anticipated that practical difficulties would compel the retention of nomination to the exclusion of the method of election which they preferred.

These recommendations necessitated in 1925 an enquiry from local Governments regarding the conditions in provinces, and also gave occasion for demands to be made on behalf of labour. During the discussion of the report of the Reforms Enquiry Committee in the Assembly on 8th September 1925 these demands were stated by the nominated labour representative to be 80 seats in provincial legislatures and 12 seats in the Legislative Assembly. These seats were to be granted as special representation to the organizations of labour in India,

so long as the employing classes receive representation through associational constituencies. The same demands were made in the Scheme of Labour Representation in the Central and Provincial Legislatures adopted by the all-India Trade Union Congress in its session at Madras on the 9th and 10th January, 1926.

The enquiries made in 1925 showed that from province to province the wage-earning class varies widely both in its importance and in the degree to which it merges into and is indistinguishable from the general community. The difficulties of a general lowering of the franchise in order to give representation to labour, and of creating special electorates remained as great as in 1920. Trades Unions were considered to be unsuitable as constituencies. They were yet in their infancy. The workers had practically no control over them and they were managed in a number of cases by lawyers and politicians. One effect of granting them representation might have been to increase the tendency then apparent for the infant unions to assume a strong political bias, and there was no certainty that representatives so chosen would voice effectively the views of the working classes.

The decision finally taken was to adhere to the method of nomination, but to increase the representation in provincial legislatures from 6 to 10. Three seats have, therefore, been given in Bombay, two in Bengal, and one each in the Punjab, Bihar and Orissa, Burma, the Central Provinces and Assam. These arrangements fell far short of the demands made by the Indian Trades Union Congress. But it was felt that while India, owing to her vast resources, human and material, rightly challenges comparison with any other country as an industrial factor in the world's economy, her workers were not yet sufficiently organised, or sufficiently differentiated in aim or outlook from the general population, to warrant the creation of any artificial means of enabling them to provide themselves with representatives of their own in the Legislatures ; and that, as in 1920, all that was necessary or possible in this respect was to enable the point of view of the nascent workers' organisations to be effectively voiced by competent exponents who have made it their special study.

The impossibility of adding to the number of seats in the Legislative Assembly to be filled by nomination precluded any increased representation of the labouring classes in that Chamber.

In 1924 the Indian Seamen's Union made a request that a seat should be allotted to seamen in the Indian Legislative Assembly. The Government of India however were not

prepared to recommend such an amendment of the Electoral Rules as would be necessary if the request were entertained.

Labour in the Legislative Assembly.

21. In the Central Legislature a number of labour measures have been passed. These include three Acts amending the Factories Act of 1911, one of which constituted a radical revision of that Act in almost every direction, a new Mines Act (an amending bill has passed the Legislative Assembly and will shortly come before the Council of State), a Workmen's Compensation Act (and a minor amending Act), a Trade Unions Act, an Act regulating child labour in ports and an Act repealing certain provisions of the law relating to criminal penalties for breach of contract by workmen. All these were Government measures, but in some cases action by Government followed on proposals in the Assembly. For example, the Trade Unions Act was the outcome of a private member's resolution adopted in the Assembly and a private member's bill influenced Government in connection with the repeal of the Workmen's Breach of Contract Act. The provisions of the Treaty of Versailles have necessitated the introduction and discussion of a large number of resolutions relating to the proceedings of the International Labour Conferences and these have generally led to discussions of interest. On the whole the tactical position of labour, which is represented by one member whom it is His Excellency's practice to nominate, has weakened somewhat. In the first Assembly the interest in labour questions as such was at the outset small. The radical revision of the Factories Act in 1922 went through with a fraction of the discussion that a similar measure would evoke to-day, for the bulk of the House were interested only in the political aspects of the question, such as the status of India abroad. The same feeling to some extent influenced the attitude of the Assembly to the Workmen's Breach of Contract Act. But generally the majority of members had open minds and were on the whole sympathetic to reasonable labour measures. In the debates on the Workmen's Compensation Act of 1923 Government were able to carry through a large and detailed measure without a single amendment being made to which they were opposed.

The position changed in the second Assembly. The entry of the Swaraj party brought in a few younger men who had advanced labour views and who were able to exercise considerable influence on policy. But, much more, it meant a distinct strengthening of the influence of employers,

the class from which the Swaraj Party derives its strongest support. Thus the efforts on behalf of labour to oppose or modify the various proposals for the imposition of protective tariffs met with comparatively small support. But Government were still in a position to hold the balance between partisans on both sides.

In the third Assembly the influence of capital has become more pronounced. Economic questions have grown in importance until, in 1927, they excited even keener interest than political questions. Accordingly not only did the Swaraj Party remain strongly influenced by capital and regulate its tactics with a regard to the effect of the proceedings of the House on business interests, but even the centre parties of moderate politicians lent strong support to Indian employers. On the one hand, over the whole period, the number of members of the Assembly directly interested in industries either as employers, or as members of parties supported by employers has increased. On the other hand the feeling that the educated classes generally are sympathetic to labour has influenced the Assembly to a considerable extent. The Council of State has generally devoted less attention to labour matters.

Provincial Legislatures.

22. Provincial legislatures are competent to enact labour legislation. But their output has been small. The only measures which can be regarded as labour measures which have been passed up to the present are an Act repealing the Madras Planters' Act (which included provisions for criminal penalties for breach of contract) and the Coorg Labour Act, which was a step in precisely the opposite direction, as it made provision for the criminal punishment of breaches of contract. In the latter case, the Government of India insisted on the measure having force for a limited period and on other modifications. These changes would not have been made on their own initiative by the local Legislative Council which generally represented the employers' point of view. One obvious explanation of the comparatively small part taken by provincial Councils in labour legislation so far as industrial labour is concerned is that much of the field was occupied by legislation in the Central legislature, but there is reason for believing that the provincial legislatures are in some cases less sympathetic to labour than the Legislative Assembly. An example which may be of some interest in this connection is afforded by the proposed legislation to regulate the construction of factories. Local Governments generally considered such legislation desirable. But on the Government of India deciding to leave legislation of this

nature to be undertaken in provincial legislatures, one of the Governments who had approved of legislation endeavoured to secure a reversal of that decision and the introduction of a measure in the Legislative Assembly and having failed to secure their object, definitely decided not to enact the provincial measure. It is possible that there appeared to be no prospect of getting legislation of this nature through the provincial Legislative Council.

Labour representation in future.

23. For the future it must be assumed that the importance of labour will grow. The legislation undertaken by Government has conferred upon it privileges which it is its interest to defend and to extend, and has encouraged its growing organisation. Industrial development which is capable of incalculable expansion must augment its concern with the proceedings of legislative bodies. The necessity for special representation, however, and the place and manner of special representation, if any, can be determined only when the general framework of the new constitution has been constructed. If the new franchises confer the vote on a large proportion of the wage-earning classes the question may be only one of the demarcation of territorial constituencies. The classification of subjects as provincial and central will have a decisive bearing on the determination of the arena in which labour interests will be in issue. Until the broader matters of that nature have been settled it would be premature to enquire how far Trade Unions have established themselves and whether they are in principle and in fact suitable organs of special representation.

Depressed Classes.

Special representation of depressed classes.

24. The interests of the depressed classes are general rather than special and provincial rather than central. If there is any particular official activity in which they are concerned it is education. But they are also interested in all the public amenities which provincial Governments or local bodies afford and in provincial public services. Their advance and social welfare are a charge specially laid upon the Governor by his Instrument of Instructions. There is no similar provision in the Instrument of Instructions to the Governor-General.

Accordingly their parliamentary representation is a question which has arisen directly only in regard to provincial legislatures. It has never so far been proposed to give them elective representation in the Central Legislature, and it was only in the existing Assembly that one member was introduced by nominations as their representative.

In provincial legislatures they enjoyed no representation before the Government

of India Act of 1919. But when that Act had been passed their claims received full consideration, first, in the preparation of the Electoral Rules, and, later, in consequence of the report of the Reforms Enquiry Committee. On the first occasion the leading expressions of opinion were contained in the Report of the Franchise Committee (paragraph 24), the Fifth Despatch of the Government of India (paragraph 13), the memorandum presented by Lord Southborough to the Joint Select Committee (paragraph 10), and the Report of the Joint Select Committee on the Government of India Bill (clause 7). The final decision which was incorporated in the Electoral Rules granted these classes representation by nomination to the extent of 5 seats in Madras, 1 seat in each of the provinces of Bombay, Bengal, the United Provinces and Assam and 2 seats in Bihar and Orissa and in the Central Provinces. The grounds of this decision were explained by the Government of India in 1920 as follows :—

" The Committee were of opinion that the representation proposed for the depressed classes was inadequate. This is in accordance with the view expressed in paragraph 13 of our Fifth despatch. That view, however, was based as was also, we understand, the recommendation of the Joint Committee, on the figures in the report of the Franchise Committee, according to which the depressed classes numbered over 41 millions. We have since reexamined the Franchise Committee's figures and we are satisfied that their classification, which is based on a religious and social distinction and thus appears to include all persons who are ordinarily not allowed to enter the interior of Hindu temples does not correspond except in Madras to the economic and political facts. On this point all local Governments are in agreement with us. In provinces other than Madras, while the conditions of the various low caste communities who are classed under one head in the census tables, doubtless vary and in some cases may fairly be regarded as depressed, there is no large and clearly defined section of the population, comparable to the " submerged tenth " of European cities, for the safeguarding of whose interests special representation is necessary. Many of these castes are fairly prosperous and sturdy communities by no means incapable of looking after themselves. In Madras the position is different. Here there are certain communities whose status and power of self-protection is so low that special provision must be made on their behalf. The Madras Government had originally contemplated reserving 10 seats for these classes and for certain other classes who may properly be described as backward rather than as depressed. It was

subsequently represented to them, however, during the course of discussions with non-official members of the Legislative Council that it would be desirable to specify separately the number of seats to be allotted respectively to these two classes. It is difficult to make a list of the castes which should be ranked as backward, and on further consideration the local Government accepted the view that in order to avoid the possibility of the claims of the low-caste Hindus to special representation being merged in those of the backward minorities, it would be better to allot a specific number of seats for the representation of the depressed classes in the more restricted and accurate sense of the term. For this section of the population which includes 6½ million persons and comprises the following communities, namely, Paraiyans, Pallans, Valluvans, Malas, Madigas, Chakkiliyans, Tottiyans, Cherumans, and Holeyas, the Madras Government in agreement with their advisory committee propose to reserve 5 seats, a number which we regard as adequate. For the representation of the backward castes and minorities no specific seats will be reserved; but it will be possible to provide for their representation from the seats reserved generally for nomination, which with this object we have decided to increase from 17 to 19. In Bombay, the depressed classes are estimated to amount to only 3 per cent. of the population, and the local Government considers that it is unnecessary to add to the one seat recommended by the Southborough Committee. In Bihar and Orissa the local Government propose to add two seats, one for the depressed classes and one for the aborigines. In the Punjab no special representation is thought to be required. In the Central Provinces the number of seats reserved will be raised from 1 to 2. The Government of the United Provinces reports that outside the criminal tribes there are practically no depressed classes, and that non-official opinion is opposed to any increase in the representation recommended by the Southborough Committee. The Government of Bengal are of opinion that the problem of the special protection of these classes is not acute in Bengal and that the larger communities to whom the term is often applied, such as the Namasudras, have some expectation of securing representation through the general electorates. They consider accordingly that the one nominated seat recommended by the Southborough Committee will suffice. The Chief Commissioner of Assam reports that there are no depressed classes in Assam. In the case of all these provinces the views of the local Governments are in accordance with those of their advisory Committees and we have had no hesitation in accepting them."

The Reforms Enquiry Committee.

25. The members of the Reforms Enquiry Committee were agreed that the existing representation of these classes was inadequate but were not agreed as to the method by which further representation could be granted. The Majority considered that resort should be had to nomination. The Minority looked to a general lowering of the franchise, but suggested special constituencies for the next few years.

As in the case of labour, the local Governments were consulted. All pronounced against the possibility of a system of election. Only Madras, Bombay and the Central Provinces recommended an increase of representation. The recommendations of the local Governments were accepted, and the existing representation of the depressed classes on the provincial councils is now as follows :—

Madras	10
Bombay	2
Bengal	1
United Provinces ..	1
Punjab	0
Bihar and Orissa ..	2
Burma	0
Central Provinces ..	4
Assam	0
	20

Representation of the depressed classes in future.

26. There can be little doubt that in some provinces at least the position of the depressed classes is so peculiar that their representation must be fully secured. Whether that can be done by fixing a suitable pitch of general electoral qualifications and adjusting territorial constituencies, or whether recourse must be had to special constituencies or nomination are questions whose discussion by the Government of India at present would be premature. Representation in the Legislative Assembly is a less important matter, unless there is a radical alteration in the classification of provincial and central functions and the protection and welfare of this and other minorities become more definitely the concern of the central Government and Legislature.

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